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22 Attorneys for Defendant AUTOBASE, INC.

23  
24 **IN THE UNITED STATES DISTRICT COURT**  
25 **CENTRAL DISTRICT OF CALIFORNIA**  
26 **SANTA ANA DIVISION**

27 AUTOALERT, LLC,  
28 Plaintiff,

v.

DOMINION DEALER SOLUTIONS,  
LLC; AUTOBASE, INC.; and 110  
REYNOLDS, LLC,

Defendants.

AND RELATED COUNTERCLAIMS

Case No.: SACV12-01661 JLS  
(JPRx)

**MOTION OF AUTOBASE, INC.  
FOR SUMMARY JUDGMENT  
OF INVALIDITY UNDER 35  
U.S.C. § 101 FOR LACK OF  
PATENT ELIGIBILITY**

Date: December 5, 2014  
Time: 2:30 p.m.  
Ctmm: 10A

The Hon. Josephine L. Staton

AutoBase, Inc. ("AutoBase") moves for summary judgment pursuant to  
FED.R.CIV.P. 56 that all of the patent claims asserted against Defendants in this

1 action are invalid. Each of the asserted claims attempts to cover what is, at base, a  
 2 generic, long-known idea – methods that even Plaintiff AutoAlert, LLC  
 3 (“AutoAlert”) admits were being performed manually in the prior art – placed on  
 4 to a computer that, as a matter of law, is ineligible as patentable subject matter  
 5 under 35 U.S.C. § 101. As such, the patents are invalid and cannot form the basis  
 6 of a proper civil action. AutoBase requests that the Court address this issue now  
 7 before the parties are required to proceed with any more time-consuming and  
 8 expensive discovery or unnecessary claim construction.

9 Filed herewith are: (1) a Memorandum In Support of this motion; (2) a  
 10 (Proposed) Order; (3) a Statement Of Undisputed Facts And Conclusions Of Law;  
 11 (4) Appendix A; (5) Appendix B; and (6) the Declaration of Henrik D. Parker with  
 12 attached exhibits.

13 Pursuant to Local Rule 7-3, the substance of the instant motion and any  
 14 potential resolution of these issues has been discussed and debated between  
 15 AutoAlert and AutoBase on several occasions and, while disagreeing that the  
 16 Asserted Claims are invalid, AutoAlert agrees that AutoBase has met its meet and  
 17 confer obligations for this motion. Thus, a Court ruling on the issue of patent-  
 18 ineligibility is necessary and of assistance to the parties.

19  
 20 Dated: October 31, 2014

Respectfully submitted,

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 22 BAKER & HOSTETLER LLP

23 By: /s/ Henrik D. Parker  
 24 Henrik D. Parker

25 *Attorneys for Defendant AutoBase, Inc.*  
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